

No. 21-1016

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CALIFORNIA PUBLIC UTILITIES COMMISSION,
Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION
and UNITED STATES OF AMERICA,
Respondents.

On Petition for Review of an Order of
the Federal Communications Commission

STATUS REPORT

Pursuant to the Court’s order of June 7, 2024, this case has been held in abeyance pending the completion of separate litigation in the Sixth Circuit concerning the FCC’s *2024 Open Internet Order*. On January 2, the Sixth Circuit issued a decision holding unlawful and setting aside the *2024 Order*. *Ohio Telecom Ass’n v. FCC (In re MCP No. 185)*, 124 F.4th 993 (6th Cir. 2025). We do not understand that decision to constitute “the completion of the litigation” at this time, because parties may still seek further review of the decision. Any petitions for

rehearing are currently due on February 18, and any petitions for certiorari are currently due on April 2. Consistent with this Court's abeyance order, the FCC will submit further status reports at 90-day intervals and will file a motion to govern further proceedings within 30 days of the completion of the litigation concerning the *2024 Order*.

Dated: January 31, 2025

Respectfully submitted,

/s/ *Scott M. Noveck*

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